



STATE BOARD OF LAND COMMISSIONERS

James E. Risch, Governor and President of the Board
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Keith L. Johnson, State Controller
Marilyn Howard, Superintendent of Public Instruction

George B. Bacon, Secretary to the Board

Summary Minutes Regular Land Board Meeting October 10, 2006

The regular meeting of the Idaho State Board of Land Commissioners was held on Tuesday, October 10, 2006 in Boise, Idaho. The meeting began at 9:13 a.m. in the second floor courtroom of the Borah Post Office building. The Honorable James Risch presided. The following members were present:

Honorable Secretary of State Ben Ysursa
Honorable Attorney General Lawrence G. Wasden
Honorable State Controller Keith L. Johnson
Honorable Superintendent of Public Instruction Marilyn Howard

Secretary to the Board Interim Director George Bacon

• **CONSENT**

Governor Risch noted there are four items on the Consent calendar. He asked if there was any discussion or any request to remove an item from the Consent calendar. Hearing none, a motion was made by Attorney General Wasden to adopt the Consent Agenda in its entirety. Secretary of State Ysursa seconded the motion. The motion carried on a vote of 5-0.

1. Director's Report – approved

- A. Interest Rate on Department Transactions – September 2006
- B. Bureau of Real Estate, Land Sale Section, Official Transactions – August 2006
- C. Bureau of Real Estate, Easement Section, Official Transactions – August 2006
- D. Timber Sale Official Transactions – August 26, 2006, through September 22, 2006
- E. Timber Sale Activity Report
- F. Legal Matter Summary
- G. Bureau of Surface and Mineral Resources, Official Transactions – August 2006
- H. Fire Season Summary

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Minutes of Land Board Meetings: Summary minutes are preliminary minutes prepared by the Idaho Department of Lands as a courtesy to the reader. Summary minutes have not been approved by the State Board of Land Commissioners and do not constitute the official minutes of the meeting. The Land Board typically approves official minutes within one to three months of the meeting at which the minutes were taken. Should you have any questions regarding these minutes, please contact Susan Terry, Office of the Director, Idaho Department of Lands, (208) 334-0242 or e-mail sterry@idl.idaho.gov.

2. **Timber Sales** – Staffed by Roger Jansson, Operations Chief-North, and Steve Douglas, Operations Chief-South – **approved**

A. Dodge Peak	CR-21-3011	1,570	MBF	Boundary
B. Ponderosa Pole	CR-41-0027	550	MBF	Latah & Clearwater
		208,450	LF	
C. Jacobson Creek	CR-80-0093	1,445	MBF	Caribou & Franklin

3. **Disclaimer of Interest for the Former Bed of the Snake River, Bonneville County** – Staffed by Perry Whittaker, Chief, Bureau of Real Estate – **approved**

DEPARTMENT RECOMMENDATION: Direct the Department to issue a disclaimer of interest for one parcel totaling 10.14 acres of the former bed of the Snake River and to require Idaho Fresh-Pak, Inc., to pay a fee of \$600.00 to the Department of Lands for this transaction.

BOARD ACTION: Approved.

4. **Approval of Minutes** – **approved**

A. Regular Land Board Meeting – September 12, 2006

• **REGULAR**

5. **Endowment Fund Investment Board Manager's Report** – Presented by Larry Johnson, Manager of Investments, EFIB

No action was taken on this agenda item.

6. **Land Bank Purchase – Conceptual Approval (Bovey Site, Craigmont)** – Presented by Steve Douglas, Operations Chief-South and Kathy Opp, Division Administrator, Support Services – **approved**

DEPARTMENT RECOMMENDATION: Authorize the Department to enter into a Purchase/Sale Agreement with an earnest money deposit not to exceed \$1,500 contingent upon: (1) EPA environmental clearance and release from liability of current and subsequent owners for environmental and/or hazardous materials that were present on the site on or prior to the date of purchase by IDL; (2) An appraisal supporting the purchase price; (3) Land Board approval of the transaction.

BOARD ACTION: A motion was made by Controller Johnson that the State Land Board adopt the recommendation of Department staff regarding the Bovey site purchase. Attorney General Wasden seconded the motion. The motion carried on a vote of 5-0.

7. State Board of Land Commissioners/Department of Lands Director Roles, Relationships and Expectations – Transition Guidance – Presented by George Bacon, Interim Director – approved

DEPARTMENT RECOMMENDATION: That the Board adopt the outline presented as a transition document and general guideline to help clarify the roles, relationships and expectations of the State Board of Land Commissioners and the Director of the Department of Lands.

BOARD ACTION: Noting that edits have been suggested, a motion was made by Attorney General Wasden to move this item to the November Land Board meeting agenda. The motion carried by unanimous consent.

• **INFORMATION**

8. Idaho Supreme Court Decision In Re: Sanders Beach – Staffed by Nick Krema, Deputy Attorney General

No action was taken on this agenda item.

At 10:00 a.m. a motion was made by Attorney General Wasden to resolve into Executive Session. Controller Johnson seconded the motion. The motion carried by unanimous consent.

• **EXECUTIVE SESSION**

A. To Consider Records that are Exempt from Disclosure [[Idaho Code § 67-2345\(1\)\(d\)](#)] – *withdrawn*

B. To Consider and Advise Its Legal Representatives in Pending Litigation or Where There is a General Public Awareness of Probable Litigation [[Idaho Code § 67-2345\(1\)\(f\)](#)]

C. To Consider Personnel Matters [[Idaho Code § 67-2345\(1\)\(b\)](#)] – *withdrawn*

D. To Consider Acquiring an Interest in Real Property Which is Not Owned by a Public Agency [[Idaho Code § 67-2345\(1\)\(c\)](#)] – *withdrawn*

At 10:20 a.m. a motion was made by Attorney General Wasden to resolve into Regular Session. The motion carried by unanimous consent.

Upon returning to Regular Session, Attorney General Wasden stated the Executive Session covered an item under Idaho Code § 67-2345(1)(f), To Consider and Advise Its Legal Representatives in Pending Litigation or Where There is a General Public Awareness of Probable Litigation. No action was taken by the Board during the Executive Session.

There being no further business to come before the Board, at 10:21 a.m. a motion was made by Attorney General Wasden to adjourn. Secretary of State Ysursa seconded the motion. The motion carried by unanimous consent.